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MS. Gloria J. Jeff
Deputy Administrator
Federal Highway Administration
400 7 th street S.W.
Washington D.C.20590

FHWA-98-3409-3

Dear Ms. Jeff

I wish to render my thoughts on a subject printed in the April 17 Federal Register. Your administration is seeking information and comments on **Third** Party Testing. On the **surface** I support third party testing. This program has proven to be a valuable service to state governments in reducing their work loads.

I have been involved with the transportation industry for over 6 years in areas of safety, training, and education, and have seen these programs in at least 2 **different** states. For the most part they do work. Problems start when the third party tester, or the testers employer has a vested interest in the outcome of the test. The reference I am making is for Certified private sector schools for tractor/trailer instruction. Most of these schools employ third party testers as instructors and then upon completion of schooling by the student, the tester examines them for licensing. I find it hard to believe these testers can be objective in these cases. I have personally delt with several persons, (students) at Marten, that could not even back a unit up. I questioned how this person obtained a license, and the answer is now very clear. The school wants the student to obtain a license, because quite a number of the schools do not require the student to pay for schooling if they do not receive the license, or at best they (the school) would have to extend the training untill the student obtains the license. Is this self serving? Is it a conflict of interest? or do I just have my head in the sand pile?

How do we address this problem? A solution would be to prohibit a school for profit (non state funded or run schools) from conducting their own third party tests. Prohibit these schools from entering into partnership agreements with another school to exchange instructors. Require , or limit third party testers to a limited number of tests during a month. Place the financial burden on the student (those being tested) instead of the school . (require the student to pay for the test, and in no way allow the outcome of such test to be part of the school contract)

Addressing the number of testers to be used, or limited per state. I agree that some caps should be established, but it should be done by population, rather than blanket numbers.

I hope these comments will help in establishing fair and equitable regulations to assist the transportation industry in placing safe and efficient drivers into the work force, and on the highways of this country.

Sincerely,

Wayne Parnham

Compliance Manager